

## **REMARKS**

### **1. Status of the Claims**

Claims 1 and 3 are pending herein. Claim 2 has been cancelled. Claims 4-8 have been withdrawn. Claim 1 has been amended to more clearly recite the subject matter of the present invention. Support for the amendments to Claim 1 can be found in the Specification at page 18, line 30 to page 21, line 5. No new matter has been added. Applicants respectfully submit that the application is in condition for allowance based on the amendments to the claims and the following remarks.

#### **I. Claim rejections under 35 USC 102(b)**

Claims 1-3 were rejected under 35 USC 102(b) as being anticipated by Freeman. Applicants respectfully traverse this ground of rejection for at least the following reasons.

The present invention, as recited in amended Claim 1, is for a communication game system for executing a communication game, the system comprising a game apparatus that is adapted to establish communication with at least one other game apparatus; the game apparatus including a display unit; an operation unit; and a processing unit that is adapted to execute processes for displaying on the display unit a self controlled character that is controlled by an operation of the operation unit; and receiving information pertaining to another character that is controlled by an operation of the other game apparatus, displaying the other character on the display unit based on the received information, and controlling a display state of the other character such that the display state gradually changes from a normal display state, a fading display state, to a non-display state when a communication state with the other game apparatus deteriorates.

Freeman et al. merely disclose zooming in, zooming out or blocking a character controlled by another game apparatus according to the communication

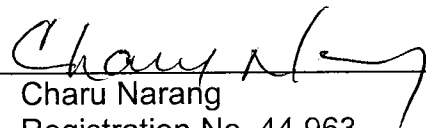
state with the other game apparatus. Freeman et al. do not disclose an inventive feature of the present that is recited in amended Claim 1, specifically, controlling a display state of the other character such that the display state gradually changes from a normal display state, a fading display state, to a non-display state when a communication with the other game apparatus deteriorates. Accordingly, the present invention is not taught by Freeman and, therefore, the rejection under 102(b) should be withdrawn and the application be forwarded to issue.

### **CONCLUSION**

In view of the foregoing amendments to the claims and remarks, it is respectfully submitted that the present invention as defined in claims 1 and 3 is in full compliance with all the statutory requirements of Title 35 USC, and, therefore, it is earnestly requested that the Examiner's rejections be withdrawn and that the pending claims be passed to issue.

Respectfully submitted  
Attorney for Applicant,

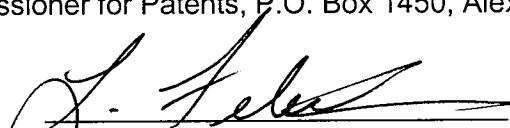
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### **CERTIFICATE OF MAILING**

I hereby certify that this *Amendment* is being e-mailed via EFS WEB addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 1, 2008.

  
L. Felicetti